AO 466A (Rev. 10/03) Waiver of Rule 5 & 5.1 Hearings

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

Jose Ubence

Defendant

WAIVER OF RULE 5 & 5.1 HEARINGS

(Complaint/Indictment)

CASE NUMBER: 07MJ2561

CHARGING DISTRICTS CASE NUMBER: 07MJ2168

I understand that charges are pending in the Eastern District of California

alleging violation of 18 USC 751(a) and that I have been arrested in this district and
(Title and Section)

taken before a judge, who has informed me of the charge(s) and my rights to:

(1) **retain counsel or request the assignment of counsel if I am unable to retain counsel;**

(2) **an identity hearing to determine whether I am the person named in the charges;**

(3) **a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and**

(4) **Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.**

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

(X) **identity hearing**

(X) **preliminary hearing**

(   ) **identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.**

X Jose Ubence
Defendant

11/20/07
Date

[signature]
Defense Counsel